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Two North Market Street
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San Jose, CA 95113

EXAMINER

HOYE, MICHAEL W

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 01/28/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/534,832

Applicant(s)

SHINTANI ET AL.

Examiner

Michael W. Hoye

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicants' arguments filed on 12/16/03 have been fully considered but they are not persuasive.

Regarding newly amended independent claims 1, 14 and 27, the Applicants submit that, "independent claims 1 and 14 [have been amended to] include the subject matter of claims 7 and 20, respectively. Furthermore, Applicants have herein amended independent claim 27 to include subject matter similar to claim 7."

In response, the Examiner respectfully disagrees with the Applicants because the amendments to independent claims 1, 14 and 27, as described above state that, "said input is provided by said display device or an input device (emphasis added)." Dependent claims 7 and 20 previously stated that, "said input is provided by said display device." Therefore, the previous rejection of claims 1, 14 and 27 under 35 U.S.C. § 102(e) as being anticipated by Terasawa et al (USPN 6,147,714) still stands, since the claimed method of b) receiving an input regarding an appearance of said display device, said input is provided by said display device or an input device is met by manipulating the remote commander 5 (which is an input device), or another means of input, and setting an aspect ratio based on the display device 4 (col. 22, lines 10-33).

Applicant's arguments with respect to dependent claims 2-13, 15-26 and 28 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Terasawa et al (USPN 6,147,714), cited by the examiner.

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention “by another,” or by an appropriate showing under 37 CFR 1.131.

As to claim 1, note the Terasawa et al reference, which discloses in a video device, a method of determining a portion of a block of text-based data to be provided to a display device. The claimed method of a) receiving said block of text-based data is met by tuner 21 of a front end (receiving means) 20, which receives the data (see col. 11, lines 48-52 and col. 12, line 64 – col. 13, line 9). The claimed method of b) receiving an input regarding an appearance of said display device, said input is provided by said display device or an input device is met by manipulating the remote commander 5 (which is an input device), or another means of input, and setting an aspect ratio based on the display device 4 (col. 22, lines 10-33). The claimed method

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of c) selecting said portion of said block of text-based data to be displayed on said display device is met by the CPU 29 reading the program data on the broadcast channels and selecting a predetermined amount to be displayed (see col. 15, lines 15-43 and col. 22, lines 10-33).

Moreover, Terasawa specifically teaches in col. 22, lines 24-27, that, “the above-described category icons and station logos may be substituted with names or numbers...” (also see Figs. 41-44, which clearly shown text-based data). Names or numbers are inherently text-based data. In addition, Terasawa teaches that the EPG data primarily contains text (col. 4, lines 16-19) and characters or letters (col.6, lines 43-67) and further teaches in col. 12, line 64 – col. 13, line 3, that the EPG information or data comprises channels, broadcast time, tiles and categories of the programs. The claimed method of d) formatting said portion of said block of text-based data to create an image frame for said display device is met by the EPG data as previously described above, as well as the receiver 2 producing frames of an electronic program guide (EPG) from the EPG data transmitted (see col. 4, line 63 – col. 5, line 5). The claimed method of e) communicating said image frame to said display device is met by displaying the image frames of the EPG data on the monitor (col. 5, lines 1-5).

As to claim 2, the claimed method wherein said video device is a set-top box is met by the IRD 2, which is applicable for use as a set top box (see col. 22, lines 34-39).

As to claim 3, the claimed method further comprising storing said block of text-based data in a memory buffer for subsequent use is met by data buffer memory 35 and 35A (col. 14, lines 39-52 and col. 12, line 64 – col. 13, line 9).

As to claim 4, the claimed method wherein said input includes a display characteristic of said display device is met by the remote commander 5, or other input methods described, which

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may be used to set the aspect ratio of the EPG still pictures based on the aspect ratio of the monitor (4) or display device (col. 22, lines 10-33).

As to claim 5, the claimed method wherein said display characteristic includes aspect ratio data regarding said display device is met by setting the aspect ratio of the EPG still pictures based on the aspect ratio of the monitor (4) or display device (col. 22, lines 10-23), where this display device data is input into the IRD 2 (col. 22, lines 28-33).

As to claim 6, the claimed method wherein said display characteristic includes a screen size of said display device is met by setting the number of EPG pictures that may be displayed in a single screen based on the aspect ratio or size of the screen and resolution of the monitor (4) or display device (col. 22, lines 10-23), where this display device data is input into the IRD 2 (col. 22, lines 28-33).

As to claim 7, the claimed method wherein said display characteristic includes a resolution of said display device is met by setting the number of EPG pictures that may be displayed in a single screen based on the aspect ratio or size of the screen and resolution of the monitor (4) or display device (col. 22, lines 10-23), where this display device data is input into the IRD 2 (col. 22, lines 28-33).

As to claim 8, the claimed method wherein said block of text-based data is on-screen display information is met by the EPG data (the block of data), such as the program table which is the on-screen display information (col. 15, lines 31-43, col. 21, lines 39-48, col. 22, lines 10-27).

As to claim 9, the claimed method wherein said on-screen display information is Electronic Program Guide (EPG) information is met by the EPG data, such the program table as described above (col. 15, lines 31-43, col. 21, lines 39-48, col. 22, lines 10-27).

As to claim 10, the claimed method wherein said display device has an aspect ratio of 4:3 is met by the display device (monitor 4) may have an aspect ratio of 4:3 (col. 22, lines 10-11).

As to claim 11, the claimed method wherein said display device has an aspect ratio of 16:9 is met by the display device (monitor 4) may have an aspect ratio of 16:9 (col. 22, lines 12-15).

As to claim 12, the claimed method of f) comparing said input to a predetermined threshold value is met by predetermined command(s) may be input to the CPU 29 by manipulating the remote commander 5, where only predetermined commands will be accepted by the CPU, since other attempts outside of the predetermined threshold would be disregarded (see col. 12, lines 56-63).

As to claim 13, the claimed method of f) selecting a specific portion of said block of text-based data based on a default value for aspect ratio, resolution, and screen size of a class of display devices, provided said input is not received is met by the predetermined values used in the embodiments shown in Figs. 3 and 4 (also see Figs. 40-44), where the CPU 29 (Fig. 23) reads for a predetermined duration (the current time in the example illustrated in FIG. 4, and for approximately 4 hours from the current time in the example illustrated in FIG. 8) the program data on the broadcast channels (for example, 5 broadcast channels in the example shown in FIG. 4, and 15 channels in the example shown in FIG. 8) in a predetermined display zone 250 of an entire EPG table 240 from the EPG area 35A and writes it into the OSD area 25aA of the DRAM

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25a as bit map data (col. 15, lines 31-43, also see col. 21, lines 15-48, and col. 22, lines 10-33).

The claimed method of g) communicating a second image frame formed by said specific portion of said block of text-based data to said display device is met by the MPEG video decoder 25 reads the bit map data from the OSD area 25aA and outputs it to the monitor 4, whereby the EPG data, such as the program table (FIG. 8), can be displayed (see Fig. 23 and col. 15, lines 31-43, and col. 4, line 63 – col. 5, line 5). The claimed method of h) receiving a second input regarding an appearance of said second image frame on said display device, provided said input is not received is met by the user manipulating the remote commander 5 after image frames are received to send input to the IRD 2 related to the appearance of the image frames, where the user may select an image frame or change the display default settings by using an input device or control (col. 16, lines 14-63 and col. 22, lines 10-33). The claimed method i) of repeating f) through h) for each of different specific portions of said block of text-based data that are selected based on different available values of aspect ratio, resolution, and screen size of said class of display devices is met by the inherency of the system as related to the method described above in which the user could repeat f) through h) for a variety of display devices (col. 16, lines 14-63 and col. 22, lines 10-33). The claimed method of j) identifying a new default value to be used with said display device based upon said second input regarding said appearance is met by a user manipulating the remote commander 5 or other input means to input a new default value to be used with monitor 4 (col. 22, lines 10-33, specifically lines 15-23).

As to claim 14, Note the Terasawa et al reference, which discloses a video device. The claimed receiver unit for receiving a block of text-based data is met by front end 20 in Fig. 23 (see col. 11, lines 48-52 and col. 12, line 64 – col. 13, line 9). The claimed processor coupled to

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said receiver unit is met by CPU 29 in Fig. 23. The claimed computer readable memory coupled to said processor and containing program instructions stored therein that when executed implement a method for determining a portion of said block of text-based data to be provided to a display device is met by ROM 37 in Fig. 23, that is coupled to CPU 29, which contains a program that includes a method for determining a portion of a block of data to be provide to a display device (col. 12, line 45 – col. 13. line 9). The claimed method of a) receiving said block of text-based data is met by tuner 21 of a front end (receiving means) 20, which receives the data (see col. 11, lines 48-52 and col. 12, line 64 – col. 13, line 9). The claimed method of b) receiving an input regarding an appearance of said display device, said input is provided by said display device or an input device is met by manipulating the remote commander 5 (which is an input device), or another means of input, and setting an aspect ratio based on the display device 4 (col. 22, lines 10-33). The claimed method of c) selecting said portion of said block of text-based data to be displayed on said display device is met by the CPU 29 reading the program data on the broadcast channels and selecting a predetermined amount to be displayed (col. 15, lines 15-43 and col. 22, lines 10-33). The claimed method of d) formatting said portion of said block of text-based data to create an image frame for said display device is met by the receiver 2 producing frames of an electronic program guide (EPG) from the EPG data transmitted (col. 4, line 63 – col. 5, line 5). The claimed method of e) communicating said image frame to said display device is met by displaying the image frames of the EPG data on the monitor (col. 5, lines 1-5).

As to claim 15, the claimed video device wherein said video device is a set-top box is met by the IRD 2, which is applicable for use as a set top box (see col. 22, lines 34-39).

As to claim 16, the claimed video device wherein said method further comprising: f) implementing vertical compression of said block of text-based data with a first aspect ratio for display on said display device having a second aspect ratio is met by compressing the data to a smaller aspect ratio for display on monitor 4 of a different aspect ratio (col. 22, lines 15-27).

As to claim 17, the claimed video device wherein said input includes a display characteristic of said display device is met by the remote commander 5, or other input methods described, which may be used to set the aspect ratio of the EPG still pictures based on the aspect ratio of the monitor (4) or display device, and where the pictures may be substituted with names or numbers (col. 22, lines 10-33).

As to claim 18, the claimed video device wherein said display characteristic includes aspect ratio data regarding said display device is met by setting the aspect ratio of the EPG still pictures based on the aspect ratio of the monitor (4) or display device, and where the pictures may be substituted with names or numbers (col. 22, lines 10-23). This display device data is then input into the IRD 2 (col. 22, lines 28-33).

As to claim 19, the claimed video device wherein said display characteristic includes a screen size of said display device is met by setting the number of EPG pictures (or substituting the pictures with names or numbers) that may be displayed in a single screen based on the aspect ratio or size of the screen and resolution of the monitor (4) or display device (col. 22, lines 10-23), where this display device data is input into the IRD 2 (col. 22, lines 28-33).

As to claim 20, the claimed method wherein said display characteristic includes a resolution of said display device is met by setting the number of EPG pictures that may be displayed in a single screen based on the aspect ratio or size of the screen and resolution of the

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monitor (4) or display device (col. 22, lines 10-23), where this display device data is input into the IRD 2 (col. 22, lines 28-33).

As to claim 21, the claimed video device wherein said block of text-based data is on-screen display information is met by the EPG data (the block of data), such as the program table which is the on-screen display information (col. 15, lines 31-43, col. 21, lines 39-48, col. 22, lines 10-23).

As to claim 22, the claimed video device wherein said on-screen display information is Electronic Program Guide (EPG) information is met by the EPG data, such as the program table as described above (col. 15, lines 31-43, col. 21, lines 39-48, col. 22, lines 10-23).

As to claim 23, the claimed video device wherein said portion of said block of text-based data to be displayed and said formatting of said portion of said block of text-based data is for said display device that has an aspect ratio of 4:3 is met by the display device (monitor 4) may have an aspect ratio of 4:3 and the data may be formatted for an aspect ratio of 4:3 (col. 22, lines 10-12).

As to claim 24, the claimed video device wherein said portion of said block of text-based data to be displayed and said formatting of said portion of said block of text-based data is for said display device that has an aspect ratio of 16:9 is met by the display device (monitor 4) may have an aspect ratio of 16:9 and the data may be formatted for an aspect ratio of 16:9 (col. 22, lines 12-15).

As to claim 25, the claimed video device wherein the claimed method of f) comparing said input to a predetermined threshold value is met by predetermined command(s) may be input to the CPU 29 by manipulating the remote commander 5, where only predetermined commands

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will be accepted by the CPU, since other attempts outside of the predetermined threshold would be disregarded (see col. 12, lines 56-63).

As to claim 26, the claimed method of f) selecting a specific portion of said block of text-based data based on a minimum possible value for aspect ratio, resolution, and screen size of a class of display devices, provided said input is not received, is met by the predetermined values used in the embodiments shown in Figs. 3 and 4 (also see Figs. 40-44), where the CPU 29 (Fig. 23) reads for a predetermined duration (the current time in the example illustrated in FIG. 4, and for approximately 4 hours from the current time in the example illustrated in FIG. 8) the program data on the broadcast channels (for example, 5 broadcast channels in the example shown in FIG. 4, and 15 channels in the example shown in FIG. 8) in a predetermined display zone 250 of an entire EPG table 240 from the EPG area 35A and writes it into the OSD area 25aA of the DRAM 25a as bit map data (col. 15, lines 31-43, also see col. 21, lines 15-48, and col. 22, lines 10-33). These predetermined values may inherently be set to their minimum value through the user inputting the lowest value into the system as described above. The claimed method of g) communicating a second image frame formed by said specific portion of said block of text-based data to said display device is met by the MPEG video decoder 25 reads the bit map data from the OSD area 25aA and outputs it to the monitor 4, whereby the EPG data, such as the entire program table (FIG. 8), can be displayed (see Fig. 23 and col. 15, lines 31-43, and col. 4, line 63 – col. 5, line 5). The claimed method of h) receiving a second input regarding an appearance of said second image frame on said display device, provided said input is not received, is met by the user manipulating the remote commander 5 after image frames are received to send input to the IRD 2 related to the appearance of the image frames, where the user may select an image frame

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or change the display default settings by using an input device or control (col. 16, lines 14-63 and col. 22, lines 10-33). The claimed method of i) repeating f) through h) for each of different specific portions of said block of text-based data that are selected based on different available values of aspect ratio, resolution, and screen size of said class of display devices is met by the inherency of the system as related to the method described above in which the user could repeat f) through h) for a variety of display devices (col. 16, lines 14-63 and col. 22, lines 10-33). The claimed method of j) identifying a new default value to be used with said display device based upon said second input regarding said appearance is met by a user manipulating the remote commander 5 or other input means to input a new default value to be used with monitor 4 (col. 22, lines 10-33, specifically lines 15-27).

As to claim 27, note the Terasawa et al reference, which discloses a video display system. The Terasawa reference clearly teaches the claimed video display system as described above in the rejection of claims 1 and 14, in addition to, the claimed receiver for receiving a block of text-based data corresponding to electronic programming guide (EPG) information is met by tuner 21 of a front end (receiving means) 20, which receives the data (see col. 11, lines 48-52 and col. 12, line 64 – col. 13, line 9), corresponding to the EPG information (col. 4, line 63 – col. 5, line 5, and col. 12, line 64 – col. 13, line 9). The claimed memory unit for storing information regarding a display characteristic of a display device is met by EPROM 38 and ROM 37 (col. 13, lines 10-40 and col. 15, lines 54-65), and the claimed wherein said video display system receives said display characteristic from said display device or an input device is met by manipulating the remote commander 5 (which is an input device), or another means of input, and setting an aspect ratio based on the display device 4 (col. 22, lines 10-33). The claimed processor for formatting a

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portion of said block of text-based data corresponding to EPG information into an array of columns and rows based on said display characteristic of said display device whereby more columns are displayed if said display characteristic indicates a wide aspect ratio display is met by CPU 29 (col. 15, lines 31-43, col. 21, lines 15-48, col. 22, lines 10-33, and Figs. 4, 8, and 39-44). The claimed said processor coupled to said receiver and said memory unit is met by CPU 29, which is coupled to tuner 21, and EEPROM 38 AND ROM 37 (see Fig. 23). The claimed means for providing an output signal to said display device to display said array is met by the MPEG video decoder 25 and the NTSC encoder 27 in Fig. 23 (see col. 15, lines 31-43 and col.12, lines 8-45). The claimed said means for providing said output signal coupled to said processor is met by the MPEG video decoder 25 which is coupled to the CPU 29 (see Fig. 23).

As to claim 28, the claimed method of f) implementing vertical compression of said block of text-based data with a first aspect ratio for display on said display device having a second aspect ratio is met by compressing the data to a smaller aspect ratio for display on monitor 4 of a different aspect ratio (col. 22, lines 15-27).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael W. Hoyer whose telephone number is (703) 305-6954. The examiner can normally be reached on Monday to Friday from 8:30 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller, can be reached at (703) 305-4795.

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Any response to this action should be mailed to:

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Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is **(703) 308-HELP**.

Michael W. Hoye
January 24, 2004


JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600